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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,405	03/15/2001	Frank Rademacher	964-010251	3576

28289 7590 05/05/2004

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EXAMINER

SENF, BEHROOZ M

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/809,405

Applicant(s)

RADEMACHER ET AL.

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3 and 5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frisch (US 6,276,750) in view of Rosinski et al (US 5,793,308).

Regarding claims 1 and 2, Frisch '750 teaches the claim "industrial truck with driver's seat oriented in the forward direction" (i.e. fig. 1, seat 12), and "camera pointing toward the rear" (i.e. fig. 1, cameras 16), and "at least one screen located in the vicinity of the driver's seat" (i.e. fig. 1, display 18). Frisch '750 fails to explicitly teach "additional camera for viewing a near area/blind spot behind the truck". However, such features are well known and used as evidenced by Rosinski '308 (i.e. figs. 4a – 4c, 5c, 6b, 7a, 8a – 8d, 9a, 10a – 10b, 11a – 11b) where teaches plurality of camera in different position for viewing the near distance/blind spot and the distance area behind and also the sides of the vehicle/truck. Therefore, taking the combined teaching of Frisch '750 and Rosinski '308 it would have been obvious to one skilled in the art at the time of the invention was made to improve the monitoring system of Frisch '750 as taught by Rosinski '308 to take advantage of the view exhibited of the blind spot of the truck by the cameras.

Regarding claim 3, the use of "camera with wide-angle lens" for viewing/monitoring purpose would have been obvious over the prior art of the record. Therefore, it would have been obvious to replace any of the monitoring cameras, as taught by the combination of Frisch '750 and Rosinski '308 with the known wide angle camera lens for the purpose of viewing a wide-angle area. Official notice

Regarding claims 4 - 6, combination of Frisch '750 and Rosinski '308 teach, "selectively viewing the area on the screen" (i.e. col. 7, lines 8 – 20, col. 8, lines 43 – 51 Rosinski).

Regarding claims 7 – 8, combination of Frisch '750 and Rosinski '308 teach, "image mixer and superimpose on video from cameras" (i.e. figs. 2 and 3, CPU 21 and MCU 211, col. 3, lines 30 – 32 and col. 6, lines 4 – 6 of Rosinski).

Regarding claims 9 - 10, combination of Frisch '750 and Rosinski '308 teach, "camera is located in the vicinity of a driver's cab of the industrial truck" (i.e. fig. 1, camera 16 of Frisch), and "additional camera is fastened to an upper rear segment of the driver's cab" reads on (fig. 7a of Rosinski).

Regarding claim 11, combination of Frisch '750 and Rosinski '308 teach, "screen located inside a driver's cab" (" (i.e. fig. 1, screen 18 of Frisch).

Regarding claims 14 - 15, the limitation claimed "screen is in the form of a flat screen," reads on (col. 2, lines 33 – 36 of Frisch), and the limitation "fork lift truck" reads on (col. 1, lines 10 – 11 of Frisch).

3. Claims 12 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frisch '750 in view of Rosinski '308 further in view of Kemshall et al (US 5,542,490).

Regarding claim 12, combination of Frisch '750 and Rosinski '308 teach, "industrial truck with driver's seat oriented in the forward direction" and "camera pointing toward the rear" and "at least one screen located in the vicinity of the driver's seat". Combination of Frisch '750 and Rosinski '308 fails to explicitly teach the limitation "electrical steering sensor" as claimed. However, such features are well known and used as evidenced by Kemshall '490 (i.e. col. 2, lines 1 - 5). Therefore, taking the combined teaching of Frisch '750 and Rosinski '308 and Kemshall '490 as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to use the steering sensor for detecting the movement of the steering wheel.

Regarding claim 13, combination of Frisch '750 and Rosinski '308 and Kemshall '490 teach "armrest of the driver's seat" (i.e. col. 2, lines 24 – 26 of Frisch).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

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(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. S.

4/22/2004


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600